

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BUSINESS DEVELOPMENT
INTERNATIONAL, INC.,

Counter-Plaintiff,

v.

FORT ROSS HOMES, INC., *et al.*,

Counter-Defendants.

Case No. 11-14070

Bernard A. Friedman
United States District Judge

Michael Hluchaniuk
United States Magistrate Judge

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REPORT AND RECOMMENDATION
MOTION FOR DEFAULT JUDGMENT(Dkt. 77)

This matter is before the Court on Business Development International, Inc.'s (BDI) Motion for Default Judgment. (Dkt. 77). An in-person hearing was held on September 12, 2012, pursuant to notice. (Dkt. 78). Counter-Defendants failed to appear despite having been given proper notice under the Federal Rules of Civil Procedure. The undersigned **RECOMMENDS** that BDI's Motion for Default Judgment should be **GRANTED** for the reasons stated on the record. The default judgment against Fort Ross Homes, Inc. and Zao Modular Housing Corporation should be entered jointly and severally in the amount of \$609,400.00, plus statutory interest.

The parties to this action may object to and seek review of this Report and Recommendation, but are required to file any objections within 14 days of service,

as provided for in Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1(d). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1981). Filing objections that raise some issues but fail to raise others with specificity will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Sec'y of Health and Human Servs.*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to Local Rule 72.1(d)(2), any objections must be served on this Magistrate Judge.

Any objections must be labeled as "Objection No. 1," "Objection No. 2," etc. Any objection must recite precisely the provision of this Report and Recommendation to which it pertains. Not later than 14 days after service of an objection, the opposing party may file a concise response proportionate to the objections in length and complexity. Fed.R.Civ.P. 72(b)(2), Local Rule 72.1(d). The response must specifically address each issue raised in the objections, in the same order, and labeled as "Response to Objection No. 1," "Response to Objection No. 2," etc. If the Court determines that any objections are without merit, it may rule without awaiting the response.

Date: September 13, 2012

s/Michael Hluchaniuk
Michael Hluchaniuk
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on September 13, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Brian C. Grant and Matthew A. Tarrant and that I have mailed the foregoing paper by United States Postal Service to: Fort Ross Homes, Inc., 115 Mendham Avenue, Hastings on the Hudson, NY 10607 and Zao Modular Housing Corporation “DOM”, Suschevsky Val Street. Bld. 16, Str. 5, Suite 11, Moscow, Russia.

s/Tammy Hallwood
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